

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN GARRETT SMITH,

Petitioner,

v.

RON HAYNES,

Respondent.

CASE NO. 3:19-CV-5394-RBL-DWC

ORDER OF RECUSAL

Upon review of the state court record and Petitioner John Garrett Smith's Traverse, the undersigned has determined he must recuse himself from this case. Under the Guide to Judiciary Policy, a "judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances in which: . . . a lawyer with whom the judge previously practiced law served during such association as a lawyer concerning the matter[.]" Guide to Judiciary Policy, Vol. 2A, Ch. 2., Canon 3, C(1)(b).

The undersigned's former law partner, Charles A. Isley, represented Sheryl Suzanne Cresap-Williams, the victim in Petitioner's underlying criminal case, in a wholly unrelated matter when the undersigned was a partner at the law firm. *See* Dkt. 16-2, pp. 446-48. While the

1 undersigned did not represent Ms. Cresap-Williams and the matter is unrelated to the issues
2 raised in this case, the undersigned has determined disqualification from this proceeding is
3 appropriate.

4 Therefore, the Clerk of Court is directed to refer this case to another United States
5 Magistrate Judge. The Court notes this case remains assigned to Presiding District Judge Ronald
6 B. Leighton.

7 Dated this 4th day of May, 2020.

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10 David W. Christel
United States Magistrate Judge